

Dana Grickis  
20 Rutland Street  
Waterbury, CT 06708

**STATE OF CONNECTICUT  
BOARD OF EXAMINERS FOR NURSING**

State of Connecticut  
Department of Public Health  
vs.  
Dana Grickis, RN  
Registered Nurse License No. E54164  
Respondent.

CASE PETITION NO. 960119-10-002

**MEMORANDUM OF DECISION**

**INTRODUCTION**

The Board of Examiners for Nursing (hereinafter the "Board") was presented by the Department of Public Health (hereinafter the "Department") with a Statement of Charges dated March 16, 1996 (Department Exhibit 1-D). The Statement of Charges alleged conduct on the part of Dana Grickis (hereinafter the "Respondent") which would subject the Respondent's Registered Nurse license to disciplinary action pursuant to the General Statutes of Connecticut.

The Board issued a Notice of Hearing dated April 2, 1996, scheduling a hearing for May 15, 1996 (Department Exhibit 1). The hearing took place on May 15, 1996 in Room 2-A, Legislative Office Building, Capitol Avenue, Hartford, Connecticut.

Each member of the Board involved in this decision attests that he/she was present at the hearing or has reviewed the record, and that this decision is based entirely on the record and the Board's specialized professional knowledge in evaluating the evidence.

FACTS

Based on the testimony given and the exhibits offered into evidence, the Board makes the following Findings of Fact:

1. Dana Grickis, hereinafter referred to as the Respondent, was issued Registered Nurse License Number E54164 on September 3, 1991. (Department Exhibit 1-A)
2. The Respondent was given due notice of the hearing and charges against her. Department Exhibit 1-D5 indicates that the Statement of Charges and Notice of Hearing were delivered to the Respondent's attorney by certified mail on April 12, 1996.
3. The Respondent was not present during the hearing but was represented by counsel. (Hearing Transcript, May 15, 1996 pp. 2-3)
4. The Respondent submitted a written answer to the Statement of Charges. (Respondent's Exhibit A)
5. Pursuant to a Memorandum of Decision dated July 12, 1995, the registered nurse license of the Respondent was suspended for one (1) year with concurrent probation for four (4) years effective July 15, 1996. The suspension with concurrent probation was ordered due to the respondent's diversion, substitution, and abuse of the controlled substance Demerol (Meperidine), and the falsification of drug records while working as a registered nurse at St. Mary's Hospital, Waterbury, Connecticut during 1994. (Department Exhibit 1-B)
6. Conditions of the suspension with concurrent probation of the Respondent's registered nurse license included the requirements that the Respondent shall not obtain for personal use and/or use alcohol or any drug that has not been prescribed for her, for a legitimate purpose, by a licensed health care practitioner authorized to prescribe medications; that the Respondent shall not abuse or excessively use alcohol and/or drugs; and that the Respondent shall submit to random alcohol/drug screens, the results of which shall be negative for the presence of alcohol and drugs. (Department Exhibit 1-B)

7. The Respondent submitted a urine specimen for alcohol/drug screening on October 30, 1995. The results of the urine screen were confirmed positive for the presence of Meperidine. (Department Exhibit 1-C)
8. In October 1995, the Respondent did not have a valid prescription for Meperidine. (Answer: Respondent's Exhibit A)

### **DISCUSSION AND CONCLUSIONS**

In consideration of the above Findings of Fact, the following conclusions are rendered:

Dana Grickis is the holder of Registered Nurse License No. E54164 which is subject to conditions of suspension with concurrent probation.

The Notice of Hearing and Statement of Charges sufficiently provided legal notice as mandated by the General Statutes of Connecticut §4-177, §4-182 and §19a-17. The hearing was held in accordance with Chapters 54 and 368a of the General Statutes of Connecticut as well as §19-2a-1 through §19-2a-30 of the Regulations of Connecticut State Agencies.

The Notice of Hearing, Statement of Charges and the hearing process provided the Respondent with the opportunity to demonstrate compliance with all lawful requirements for the retention of her license as required by the General Statutes of Connecticut §4-182(c).

The FIRST COUNT PARAGRAPH 2 of the Statement of Charges alleges that on or about October 30, 1995, the Respondent submitted to a urinalysis which tested positive for Meperidine.

The Respondent admits this charge to the extent that a urinalysis was performed and the results were positive, however, the respondent denies the use of Meperidine. (Answer: Respondent's Exhibit A)

The SECOND COUNT of the Statement of Charges alleges that while subject to terms of suspension with concurrent probation of her registered nurse license as set forth in a Memorandum of Decision dated

July 12, 1995, the respondent used Meperidine in October 1995 for which she did not have a valid prescription. It is further alleged that the Respondent's positive urinalysis as specified in the First Count constitutes a violation of the terms set forth in the Memorandum of Decision dated July 12, 1995.

The Respondent admits she did not have a prescription for Meperidine but asserts she did not have access to Meperidine and denies that she used Meperidine in any form or by any route. The Respondent neither admits or denies that the positive urinalysis result constitutes a violation of the terms set forth in the Memorandum of Decision dated July 12, 1995. (Answer: Respondent's Exhibit A)

Based on its review of the evidence, the Board finds the Respondent submitted to a urinalysis on or about October 30, 1995, the results of which were confirmed positive for the presence of the controlled substance Meperidine. The Board concludes that the urinalysis result is proof of the Respondent's use of Meperidine.

The Respondent has admitted that she did not have a prescription for the controlled substance Meperidine. The Board therefore concludes that the Respondent's use of Meperidine which was not prescribed for her for a legitimate medical purpose, constitutes abuse of said medication.

The General Statutes of Connecticut §20-99(b) prohibits conduct which fails to conform to the accepted standards of the nursing profession, which includes "... (5) abuse or excessive use of drugs, including alcohol, narcotics or chemicals...."

Based on its findings, the Board concludes that the Respondent's conduct as alleged in the First Count and the Second Count of the Statement of Charges dated March 16, 1996 is proven. The Board concludes that the Respondent's abuse of the controlled substance Meperidine constitutes a violation of the General Statutes of Connecticut §20-99(b)(5) and that the positive urinalysis which proves the Respondent's abuse of Meperidine constitutes a violation of the conditions of probation as set forth in the Memorandum of Decision dated July 12, 1995. Therefore, the Respondent is subject to disciplinary action pursuant to §19a-17 of the General Statutes of Connecticut.

**ORDER**

Pursuant to its authority under §19a-17 and §20-99 of the General Statutes of Connecticut, the Board of Examiners for Nursing hereby orders the following:

1. That for the First Count and the Second Count of the Statement of Charges, the Respondent's registered nurse license, No. E54164, is revoked.
2. Revocation shall become effective on the date this Memorandum of Decision is signed by the Board of Examiners for Nursing.

The Board of Examiners for Nursing hereby informs the Respondent, Dana Grickis, and the Department of Public Health of the State of Connecticut of this decision.

Dated at Hartford, Connecticut this 28th day of August, 1996.

BOARD OF EXAMINERS FOR NURSING

By

